



DEPARTMENT OF TRANSPORTATION

[4910-EX-P]

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2011-0313]

Agency Information Collection Activities; Revision of a Currently-Approved Information Collection Request: Transportation of Household Goods; Consumer Protection

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for its review and approval. The FMCSA requests approval to revise an ICR entitled, "*Transportation of Household Goods; Consumer Protection*." The information collected will be used to help regulate motor carriers transporting household goods (HHG) for individual shippers.

DATES: Please send your comments by **[Insert date 30 days after the day of publication of this notice in the Federal Register]**. OMB must receive your comments by this date in order to act quickly on the ICR.

ADDRESSES: All comments should reference Federal Docket Management System (FDMS) Docket Number FMCSA-2011-0313. Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the attention of the Desk Officer, Department of Transportation/Office of the Secretary, and sent via electronic mail to <http://www.regulations.gov> or faxed to (202) 395-7245, or mailed to the Office of Information and Regulatory Affairs, Office of

Management and Budget, Docket Library, Room 10102, 725 17th Street, N.W.,
Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Mr. Brodie Mack, Commercial
Enforcement Division, Federal Motor Carrier Safety Administration, West Building 6th
Floor, 1200 New Jersey Avenue, SE., Washington, DC 20590. Telephone: 202-366-
8045; e-mail brodie.mack@dot.gov.

SUPPLEMENTARY INFORMATION:

Title: Transportation of Household Goods; Consumer Protection.

OMB Control Number: 2126-0025.

Type of Request: Revision of a currently-approved information collection.

Respondents: 6,000 household goods movers.

Estimated Time per Response: Varies from 5 minutes to display assigned U.S. DOT
number in created advertisement to 12.5 minutes to distribute consumer publication.

Expiration Date: December 31, 2013.

Frequency of Response: On occasion.

Estimated Total Annual Burden: 5,524,500 hours [Informational documents provided
to prospective shippers at 43,500 hours + Written Cost estimates for prospective shippers
at 4,620,000 hours + Service orders, bills of lading at 805,300 hours + In-transit service
notifications at 22,600 hours + Complaint and inquiry records including establishing
records system at 32,700 hours + Household Goods – Consumer Complaint Form
MCSA-2P at 400 hours = 5,524,500].

Background: The Motor Carrier Safety Improvement Act of 1999 (MCSIA) (Public
Law 106-159, 113 Stat. 1749, December 9, 1999) authorized the Secretary of

Transportation (Secretary) to regulate household goods carriers engaged in interstate operations for individual shippers. In earlier legislation, Congress abolished the former Interstate Commerce Commission and transferred the Commission's jurisdiction over household goods transportation to the U.S. Department of Transportation (DOT) (ICC Termination Act of 1995, Public Law 104-88). Prior to FMCSA's establishment, the Secretary delegated this household goods jurisdiction to the Federal Highway Administration, FMCSA's predecessor organization within DOT.

Sections 4202 through 4216 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Pub. L. 109-59, 119 Stat. 1144, Aug. 10, 2005) (SAFETEA-LU) amended various provisions of existing law regarding household goods transportation. It specifically addressed: definitions (section 4202); payment of rates (section 4203); registration requirements for household goods motor carriers (section 4204); carrier operations (section 4205); enforcement of regulations (section 4206); liability of carriers under receipts and bills of lading (section 4207); arbitration requirements (section 4208); civil penalties for brokers and unauthorized transportation (section 4209); penalties for holding goods hostage (section 4210); consumer handbook (section 4211); release of broker information (section 4212); working group for Federal-State relations (section 4213); consumer complaint information (section 4214); review of liability of carriers (section 4215); and application of State laws (section 4216). The FMCSA regulations that set forth Federal requirements for movers that provide interstate transportation of household goods are found in 49 CFR part 375, "Transportation of Household Goods; Consumer Protection Regulation." On July 16, 2012, FMCSA published a Direct Final Rule (DFR) entitled, "Transportation of

Household Goods in Interstate Commerce; Consumer Protection Regulations: Household Goods Motor Carrier Record Retention Requirements,” in the **Federal Register** (77 FR 41699). The rule amends the regulations governing the period during which HHG motor carriers must retain documentation of an individual shipper’s waiver of receipt of printed copies of consumer protection materials. This change harmonizes the retention period with other document retention requirements applicable to HHG motor carriers. FMCSA also amended the regulations to clarify that a HHG motor carrier is not required to retain waiver documentation from any individual shippers for whom the carrier does not actually provide services. The Agency did not receive any comments in response to the DFR.

PUBLIC COMMENTS INVITED: You are asked to comment on any aspect of this information collection, including: (1) whether the proposed collection is necessary for the performance of FMCSA’s functions; (2) the accuracy of the estimated burden; (3) ways for FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information. The Agency will summarize or include your comments in the request for OMB’s clearance of this information collection.

Issued on: December 7, 2012

Kelly Leone
Associate Administrator for Office of
Research and Information Technology

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